

REMARKS

The Office Action dated March 31, 2004 has been received and its contents carefully studied. Reconsideration of the rejections of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-14 and 16-24 are pending. The only independent claims (prior to this amendment) were claims 1, 7, 23, and 24. Claim 23 is allowed, and dependent claims 9-14 and 16 are also indicated to be allowable. However, the remaining claims are rejected.

Independent claim 1 is rejected as obvious under 35 U.S.C. 103(a) from *Azima* '775 (U.S. Patent No. 6,188,775). Independent claims 7 and 24 are rejected as obvious under 35 U.S.C. 103(a) from *Azima* '775 in view of *Azima* '282 (U.S. Patent No. 6,442,282).

The Present Amendments

Claim 1 is amended merely to correct the grammar, and also to include two additional wherein clauses that are supported at least by page 5 of the application, lines 20-23. Thus, claim 1 now recites additional properties of the sandwich plate that are essential to the present invention. This amendment of claim 1 is intended to expedite allowance, and is not meant as any kind of admission regarding the cited references.

Claim 8 is amended to eliminate an antecedent basis problem. Claims 9 and 16 are placed in independent form, to put claims 9-14 and 16 into condition for allowance. New claim 25 is specifies a fractal arrangement (e.g. see page 6 of the application, lines 3-4; page 9, line 27).

Further Remarks

It is respectfully submitted that the present amendments of claim 1 render the claim allowable, because the cited *Azima* references do not teach or suggest a sandwich plate having the characteristics described in present claim 1, namely bending wavelengths smaller than a surface

diagonal of the sandwich plate, and a bending resonance under a band containing the higher sound frequencies. These characteristics are essential to the present claimed invention, and they are clearly defined by amended claim 1.

With regard to present claim 4, the Office Action at page 4 asserts that it would have been obvious to include a spatially different distribution of elasto-mechanical properties (e.g. by using cut-outs), for achieving "vibrational frequency response desired." However, the Applicant respectfully submits that the present invention already achieves the vibrational frequency response desired, and the spatially different distribution is for a different purpose: namely, to increase shear strength of the sandwich plate as discussed at page 4, lines 4-20 of the application. The present invention discloses combining the honeycomb structure of claim 3 with the spatially different distribution of claim 4 (i.e. claim 4 depends from claim 3), and the Office Action has not shown this combination in any reference, and has not shown why the honeycomb structure would be insufficient without the spatially different distribution, in order to obtain adequate shear strength. Applicant would like to respectfully point out that the application emphasizes (at page 4, lines 15-17) the fact that this combination is very useful for increasing the shear strength, and Applicant submits that this is a non-obvious and very innovative combination. The Office Action seems to suggest (page 4, second paragraph), that such a combination would have been obvious in order to achieve desired thickness, but the Office Action does not suggest any reason why a non-uniform thickness would be obvious given that the core layer already has a honeycomb structure.

Decided Not to be combined
See claim 4
See claim 3
See claim 1
See claim 2
See claim 5
See claim 6
See claim 7
See claim 8
See claim 9
See claim 10
See claim 11
See claim 12
See claim 13
See claim 14
See claim 15
See claim 16
See claim 17
See claim 18
See claim 19
See claim 20
See claim 21
See claim 22
See claim 23
See claim 24
See claim 25
See claim 26
See claim 27
See claim 28
See claim 29
See claim 30
See claim 31
See claim 32
See claim 33
See claim 34
See claim 35
See claim 36
See claim 37
See claim 38
See claim 39
See claim 40
See claim 41
See claim 42
See claim 43
See claim 44
See claim 45
See claim 46
See claim 47
See claim 48
See claim 49
See claim 50
See claim 51
See claim 52
See claim 53
See claim 54
See claim 55
See claim 56
See claim 57
See claim 58
See claim 59
See claim 60
See claim 61
See claim 62
See claim 63
See claim 64
See claim 65
See claim 66
See claim 67
See claim 68
See claim 69
See claim 70
See claim 71
See claim 72
See claim 73
See claim 74
See claim 75
See claim 76
See claim 77
See claim 78
See claim 79
See claim 80
See claim 81
See claim 82
See claim 83
See claim 84
See claim 85
See claim 86
See claim 87
See claim 88
See claim 89
See claim 90
See claim 91
See claim 92
See claim 93
See claim 94
See claim 95
See claim 96
See claim 97
See claim 98
See claim 99
See claim 100

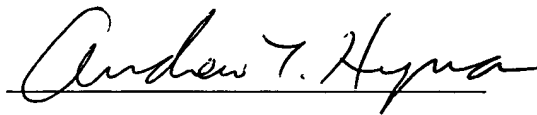
CONCLUSION

For all of these reasons, it is not perceived that the claimed invention can be derived from the related art, or how it might be obvious in view of the related art. The references cited do not suggest what is set out in the applicant's amended claims, and do not provide the basis for developing the invention to persons having ordinary skill in the art to which the subject matter

pertains. Therefore, withdrawal of all of the rejections is respectfully requested, and early allowance is most earnestly solicited.

Respectfully submitted,

Dated: June 3, 2004

A handwritten signature in cursive script, reading "Andrew T. Hyman", is written over a horizontal line.

Andrew T. Hyman
Attorney for Applicant
Registration No. 45,858

WARE, FRESSOLA, VAN DER
SLUYS & ADOLPHSON LLP
Building Five, Bradford Green
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955